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Elections to fill vacancies in subsidiary organs and other elections: election of fourteen members of the Human Rights Council

Note verbale dated 26 October 2016 from the Permanent Mission of the United States of America to the United Nations addressed to the President of the General Assembly

The United States Mission to the United Nations presents its compliments to the President of the General Assembly and has the honour to transmit the human rights commitments and pledges of the United States of America (see annex), with reference to the candidacy of the United States for election to the United Nations Human Rights Council for the term 2017-2019, at the elections during the seventy-first session of the General Assembly in New York.

The United States Mission to the United Nations avails itself of this opportunity to renew to the President of the General Assembly the assurances of its highest consideration.

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Annex to the note verbale dated 26 October 2016 from the Permanent Mission of the United States of America to the United Nations addressed to the President of the General Assembly

Human rights commitments and pledges of the United States of America

The deep commitment of the United States to championing the human rights enshrined in the Universal Declaration of Human Rights is driven by the founding values of our nation and the conviction that international peace, security and prosperity are strengthened when human rights and fundamental freedoms are respected and protected. As the United States seeks to advance human rights and fundamental freedoms around the world, we do so cognizant of our own commitment to address challenges and to live up to our ideals at home and to meet our international human rights obligations.

The United States was pleased to participate in the second cycle of the universal periodic review at the Human Rights Council during our prior term on the Council. We are particularly pleased that we had the opportunity to work closely with civil society throughout that process, including at a town hall meeting in Geneva and several consultations in the United States. As we stated in our final report, the Government of the United States carefully reviewed the 343 recommendations received during its most recent universal periodic review. Our response to these recommendations reflects our continuing endeavour to create, in the words of our Constitution, a more perfect union.

We therefore make the following pledges:

Commitment to advancing and supporting human rights in the United Nations system

1. The United States commits to continuing its efforts in the United Nations system to be a strong advocate for all people around the world who suffer from discrimination, abuse and oppression, and a stalwart defender of courageous individuals across the globe who work, often at great personal risk, on behalf of the rights of others.

2. The United States commits to continue working with determination for a balanced, credible and effective United Nations Human Rights Council to advance the purpose and principles of the Universal Declaration of Human Rights. To that same end, in partnership with the international community, we will continue to promote universality, transparency and objectivity in all of the Council's endeavours. The United States is proud of the work we have done building partnerships with numerous countries from every region to increase the Council's credibility, strengthen the Council as an institution and create mechanisms to promote and protect human rights. During our first two terms on the Council, we were pleased to see broad support for such important cross-regional initiatives as the creation of two Special Rapporteurs, one on freedom of association and assembly and another on the human rights situation in Iran, a resolution on women's

right to a nationality, four resolutions on the human rights situation in Sri Lanka, the creation of a Working Group on discrimination against women in law and practice, as well as resolutions focusing on important issues, such as early and forced marriage and female genital mutilation. Similarly, we were pleased the Council took urgent action to address crisis situations in countries including Syria, Burundi, Libya and the Central African Republic.

3. The United States is committed to advancing the promotion and protection of human rights and fundamental freedoms throughout the United Nations system, including in the United Nations General Assembly and its Third Committee. The United States will continue to strongly support the work of the United Nations human rights mechanisms — including Special Rapporteurs, independent experts working groups and commissions of inquiry — and the dialogue that their reports engender. The United States will also continue to support the work of the human rights treaty bodies.

4. As we demonstrated during our extensive consultations with civil society during the universal periodic review process, the United States recognizes and supports the vital role of civil society and human rights defenders in the promotion and protection of human rights. We also remain committed to promoting the effective involvement of non-governmental organizations (NGOs) in the work of the United Nations, including the Council, and other international organizations, as evidenced by our active engagement as a member of the United Nations NGO Committee.

5. As part of our commitment to the principle of the universality of human rights, the United States commits to working with our international partners in the spirit of openness, consultation and respect and reaffirms that expressions of concern about the human rights situation in any country, our own included, are appropriate matters for international discussion.

6. The United States is committed to continuing its support for the Office of the United Nations High Commissioner for Human Rights (OHCHR) and remains one of the Office's largest donors. In 2015, the United States provided $5.5 million to OHCHR and its efforts to address violations of human rights worldwide, as well as almost $1.25 million to the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights and $6.5 million to the Voluntary Fund for Victims of Torture. We anticipate making contributions to United Nations human rights activities in 2016 as well.

7. The United States is also committed to continuing its support to other United Nations bodies whose work contributes to the promotion of human rights. In 2015, in addition to our assessed contributions to United Nations organizations, the United States contributed voluntary funding to support a range of human rights efforts, such as through the United Nations Population Fund ($35.0 million), the United Nations Democracy Fund ($4.2 million) and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) ($7.5 million).

8. The United States is committed to supporting implementation of the United Nations Global Counter-Terrorism Strategy and the Secretary General's Plan of Action to Prevent Violent Extremism, both of which support respect for human rights and the rule of law. The United States also commits to promoting

implementation of the Human Rights Council resolution on human rights and preventing and countering violent extremism, adopted on 2 October 2015.

9. In conjunction with our domestic efforts, the United States remains committed to the promotion and protection of indigenous peoples in the work of the United Nations, including through continued attention to indigenous issues at the Human Rights Council and General Assembly.

Commitment to advancing human rights, fundamental freedoms and human dignity and prosperity internationally

1. The United States commits to continue supporting States in their implementation of human rights obligations, as appropriate, through human rights dialogue, exchange of experts, technical and interregional cooperation and programmatic support for the work of non-governmental organizations.

2. The United States commits to continue its efforts to strengthen mechanisms in the international system to advance the rights, protection and empowerment of women, including through support for UN-Women; the implementation of Security Council resolution 1325 (2000) and all subsequent resolutions related to women, peace and security, and all relevant Human Rights Council and General Assembly resolutions related to the elimination of all forms of violence against women and to women's political participation; the work of the United Nations Commission on the Status of Women; and the work of the Inter-American Commission of Women.

3. The United States is committed to continuing to address stigma and discrimination in laws and policies and to promote the human rights of persons regardless of their sexual orientation or gender identity and is pleased to support the efforts of the Special Rapporteur and unit of the Inter-American Commission on Human Rights to place greater regional focus on this area as well as the efforts undertaken to include sexual orientation and gender identity in the work of the United Nations Human Rights Council, the General Assembly and the Office of the United Nations High Commissioner for Human Rights.

4. The United States is committed to continuing to promote the human rights of persons with disabilities, including through measures advancing non-discrimination, inclusion, dignity, individual autonomy, equality of treatment and accessibility.

5. The United States is dedicated to combating both overt and subtle forms of racism and racial and ethnic discrimination domestically and internationally. The United States is party to the International Convention on the Elimination of All Forms of Racial Discrimination and is committed to seeing the goals of this convention fully realized and the obligations thereunder fully implemented by States parties. Particular emphasis should be placed not only on eliminating any remaining legal barriers to equal rights and opportunities, but also on confronting the reality of continuing discrimination and inequality within institutions and societies. The United States also commits to actively supporting efforts related to the International Decade for People of African Descent.

6. The United States is committed to upholding our international obligations to prevent torture and cruel, inhuman or degrading treatment or punishment. The United States supports the work of the United Nations Special Rapporteur on torture and the Committee Against Torture, and in 2015, the United States was proud to

become a participant in the Group of Friends of the Convention against Torture Initiative.

7. The United States commits to continuing to work to advance respect for workers' rights worldwide, including by working with other Governments and the International Labour Organization; promoting the adoption and implementation of policies, regulations and laws to achieve respect for internationally recognized workers' rights; and providing funding for technical assistance projects to combat forced labour and other forms of human trafficking, advance the rights to freedom of association and collective bargaining, address workplace discrimination and exploitative working conditions and build the capacity of workers' organizations, employers and Governments to address labour issues.

8. The United States commits to promoting the ratification and implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, including by promoting the effective involvement of non-governmental organizations in expert and treaty body meetings related to implementation of the Convention and the Protocol, as well as continuing to advocate a victim-centred, trauma-informed, culturally relevant, gender-responsive and multidisciplinary approach to combating all forms of trafficking in persons and to promoting the dignity, human rights and fundamental freedoms of trafficking victims.

9. The United States commits to continuing to promote freedom of religion for individuals of all religions or beliefs, particularly members of minority and vulnerable groups, through dedicated outreach, advocacy, training and programmatic efforts, and to promote religious tolerance. The United States was pleased to support United Nations Human Rights Council resolution 16/18 ("Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief") and its subsequent resolutions, and played an important role in subsequent Istanbul Process meetings and related work. The United States works to implement United Nations Human Rights Council resolution 16/18 through a series of programmes intended to create a dialogue about the resolution and religious tolerance. The programmes vary in scope but focus on establishing a legal framework for religious tolerance, enforcing non-discrimination laws and encouraging community engagement, including case studies and outreach exercises. We have conducted such workshops in Bosnia, Greece, Spain and Indonesia for host country interlocutors, including lawyers, judges, government officials, NGO representatives, community leaders and academics.

10. The United States commits to continuing to engage on and support economic, social and cultural rights, including at the United Nations Human Rights Council, in the United Nations General Assembly and elsewhere, in terms consistent with human rights instruments we have accepted, including the Universal Declaration of Human Rights. In addition, the United States is committed to achieving the goals of the 2030 Agenda for Sustainable Development, including those related to ending extreme poverty, improving public health, increasing access to education and housing, reducing violence and inequality and expanding opportunity and protecting fundamental freedoms. We also continue to support both bilateral and multilateral

international assistance programmes that bolster food security, education, access to non-discriminatory health-care services and programmes, safe drinking water and other economic and social goods and services.

11. The United States is committed to continuing its leadership role in promoting business and human rights globally through multilateral forums, the forthcoming adoption of a national action plan on responsible business conduct and support for and engagement in multi-stakeholder initiatives. In 2011, the United States co-sponsored the resolution endorsing the United Nations Guiding Principles on Business and Human Rights. In September 2014, the United States began development of its own national action plan on responsible business conduct, which seeks to promote responsible business conduct consistent with the United Nations Guiding Principles on Business and Human Rights and the Guidelines for Multinational Enterprises of the Organization for Economic Cooperation and Development. In January 2015, the United States published updates to the Federal Acquisition Regulation in alignment with the President's Executive Order, "Strengthening Protections against Trafficking in Persons in Federal Contracts", and related requirements in the Ending Trafficking in Government Contracting Act (set forth in the National Defense Authorization Act for 2013). The United States also takes a leading role in promoting accountability, transparency and engagement on security and human rights through multi-stakeholder initiatives. The United States is a founding member of the Open Government Partnership, the Voluntary Principles on Security and Human Rights, the International Code of Conduct Association for Private Security Service Providers and the Montreux Document Forum. As part of its commitments in its Open Government Partnership National Action Plan, the United States is working towards implementation of the Extractive Industries Transparency Initiative domestically.

12. The United States is also committed to the promotion and protection of human rights through regional organizations. Through our membership in the Organization for Security and Cooperation in Europe and the Organization of American States, the United States commits to continuing efforts to uphold human rights and fundamental freedoms and to strengthening and developing institutions and mechanisms for their protection. In particular recognition of its human rights commitments within the inter-American system, the United States strongly supports the work of the Inter-American Commission on Human Rights, is its largest donor, with $2.3 million contributed in 2015, and engages actively in proceedings on individual petitions filed against the United States, in thematic hearings, and with respect to the Commission's thematic and country reports.

13. The United States is the 2015-2017 President of the Community of Democracies and is leading efforts to support emerging democracies as they work to complete successful transitions. Themes for our presidency include democracy and security, and democracy and development. Community of Democracies working groups focus on issues such as the protection of civil society, freedom of expression and development.

14. Recognizing the essential contributions of independent media to promoting the right to freedom of expression, exposing human rights violations and abuses and promoting accountability and transparency in governance, the United States commits to continuing to champion freedom of expression and to promoting media

freedom and the protection of journalists worldwide. To this end, the United States leads and supports efforts at the Human Rights Council and the United Nations General Assembly to protect and promote freedom of expression. In 2015, the United States co-sponsored a joint statement on freedom of artistic expression that over 50 countries supported. The United States supports initiatives on the safety of journalists, including the September 2014 Human Rights Council consensus resolution on that subject. In June 2012, the United States co-sponsored a consensus resolution at the Human Rights Council on Internet freedom, affirming that the same rights that people have offline must also be protected online, and co-sponsored a resolution in 2014 reaffirming these rights.

Commitment to advancing human rights, fundamental freedoms and human dignity and prosperity in the United States

1. The United States executive branch is committed to working with the United States Senate to consider the ratification of the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of Persons with Disabilities and International Labour Organization Convention No. 111, among other treaties.

2. The United States is committed to meeting its United Nations treaty obligations and participating in a meaningful dialogue with treaty bodies.

3. The United States is committed to continued cooperation with the United Nations human rights mechanisms, as well as the Inter-American Commission on Human Rights and other regional human rights bodies, by responding to inquiries, engaging in dialogues and hosting visits. Since 2012, the United States has hosted seven official Special Rapporteur and Working Group visits.

4. The United States is also strongly committed to continuing our long-standing work to combat discrimination based on race, colour, age, national origin, religion, gender, familial status, sexual orientation, gender identity, health status and disability in various sectors in our society. Certain statutes also protect individuals who are members of language minority groups or reside in institutions. Despite the achievements of the civil rights movement and many years of striving to achieve equal rights and equal opportunity for all, invidious discrimination still exists in our country and we continue to fight it through enforcement of a myriad of federal civil rights statutes, including the Civil Rights Act of 1964, the Voting Rights Act, the Fair Housing Act, section 1557 of the Affordable Care Act and numerous others.

5. The United States also continues its work to combat hate crimes, police misconduct and human trafficking through federal and state prosecution of these crimes and the strengthening of health and human service safety nets. Our federal hate crime statutes make it unlawful, among other things, to wilfully cause bodily injury, or to attempt to do so, because of a person's race, colour, religion, national origin, gender, sexual orientation, gender identity or disability. The United States Congress passed the Violence against Women Reauthorization Act of 2013, Preventing Sex Trafficking and Strengthening Families Act of 2014 and the Justice for Victims of Trafficking Act of 2015, which further strengthened prevention, protection and prosecution responses to human trafficking. The United States recognizes human trafficking as a violent crime and public health issue, requiring a

comprehensive response that engages the collaboration of criminal justice, health and social welfare, labour and education systems and institutions.

6. The United States commitment to continuing to promote human prosperity and human rights and fundamental freedoms of all persons within the United States also includes protecting the rights of individuals with disabilities through enforcement of legislation such as the Americans with Disabilities Act, the Rehabilitation Act and the Individuals with Disabilities Education Act.

7. The United States continues to work towards full racial equality. We are committed to ensuring that every American benefits from a local police force that protects and serves all members of the community and we are working with state and local authorities to improve police training and build community trust. The United States enforces many laws that ensure that persons of every race have equal access to housing and credit through various statutes, including the Fair Housing Act and the Equal Credit Opportunity Act.

8. The United States is committed to strengthening government-to-government relationships with federally recognized tribes and furthering United States policy on indigenous issues. To that end, we support the United Nations Declaration on the Rights of Indigenous Peoples, as explained in the "Announcement of U.S. Support for the United Nations Declaration on the Rights of Indigenous Peoples — Initiatives to Promote the Government-to-Government Relationship and Improve the Lives of Indigenous Peoples". While the Declaration is not legally binding, it carries considerable moral and political force and complements the Government's ongoing efforts to address historical inequities faced by indigenous communities in the United States. Since 2009, the United States Government has hosted an annual White House Tribal Nations Conference and in 2013, it established the White House Council on Native American Affairs. In 2013, the Violence Against Women Reauthorization Act included a historic provision recognizing tribes' inherent power to exercise "special domestic violence criminal jurisdiction" over Indian or non-Indian perpetrators who commit acts of domestic violence or violate certain protection orders on tribal lands. The United States Department of Justice continues to coordinate with tribal governments to fully implement the new law. The United States played a leading role in shaping the outcome document of the September 2014 United Nations World Conference on Indigenous Peoples. In 2014, the United States provided over $290,000 of voluntary funding to UN-Women to support field-based projects protecting indigenous women and children from violence.